

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Eddie Nile Hubbard,

Civ. No. 23-2381 (JWB/ECW)

Plaintiff,

v.

Paul Schnell, *Commissioner, Minnesota Department of Corrections*; Lt. Duffy, *Correction Officer and/or MN DOC Official acting in his/her capacity obo MN DOC*; Sgt. Parr, *Correction Officer and/or MN DOC Official acting in his/her capacity obo MN DOC*; John/Jane Doe, *Correction Officer and/or MN DOC Official acting in his/her capacity obo MN DOC*; Dr. Truitt, *Medical personnel obo MN DOC Official acting in his/her capacity obo MN DOC*; John/Jane Doe, *Medical personnel obo MN DOC Official acting in his/her capacity obo MN DOC*,

**ORDER ACCEPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE**

Defendants.

United States Magistrate Judge Elizabeth Cowan Wright issued a Report and Recommendation (“R&R”) in this matter on September 29, 2023. (Doc. No. 6.) No objections have been filed to that R&R in the time permitted. In the absence of timely objections, the R&R is reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, no clear error is found.

Based on the R&R of the Magistrate Judge, and on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The September 29, 2023 Report and Recommendation (Doc. No. 6) is **ACCEPTED**; and
2. This case is **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: October 25, 2023

s/ Jerry W. Blackwell
JERRY W. BLACKWELL
United States District Judge